

Notice of Allowability	Application No.	Applicant(s)	
	10/822,770	FUKUSHIMA ET AL.	
	Examiner	Art Unit	
	James R. Harvey	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview dated 5-24-05.
2. ☒ The allowed claim(s) is/are 1 and 4-11.
3. ☒ The drawings filed on 13 April 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>5-24-05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312.

To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jill DeMello on 4-24-05.

2. The application has been amended as follows:

- Cancel claim(s) 2.
- Amend line 6 of claim 1 by inserting --first-- before "protruding".
- Amend line 9 of claim 1 by inserting --first-- before "protruding".
- Between lines 10 and 11 of claim 1 insert --a second protruding piece which protrudes inwardly from an inner edge of said solid-core ring-shaped packing body;--.
- Amend line 11 of claim 1 by inserting --first-- before "protruding".
- Amend line 12 of claim 1 by inserting --first-- before "protruding".
- Amend line 1 of claim 4 by deleting "2" and inserting --1-- before "further".
- Amend line 2 of claim 5 by inserting --first-- before "protruding".
- Amend line 4 of claim 5 by inserting --first-- before "protruding".
- Amend line 5 of claim 11 by inserting --first-- before "protruding".
- Amend line 7 of claim 11 by inserting --first-- before "protruding".

-- Before line 9 of claim 11 insert --a second protruding piece which protrudes inwardly from an inner edge of said packing body;--.

3. The following is an examiner's statement of reasons for allowance:

- The following is a statement of reasons for the indication of allowable subject matter: The prior art does not show a first protruding piece that protrudes outwardly from an outer edge of the packing body at a midpoint along the thickness of the packing body, a securing portion attached to or extending from the first protruding piece and a second protruding piece that protrudes inwardly from an inner edge of the packing body, in combination with all the other elements of the claim and the examiner knows of no permissible motivation to combine the prior art such that the subject matter as a whole would have been obvious at the time the invention was made.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The following is an examiner's summary of the interview: During the interview, it was agreed that it would not be obvious to combine prior art Nye et al. (US 2903626) and Koumatsu et al. (US 5879178) because of the claimed orientation and location of the claimed first and second protruding pieces and the securing portion.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 571-272-2007. The examiner can normally be reached from 8:00 A.M. to 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 ext. 33. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2800.

James R. Harvey, Examiner

jrh

May 24, 2005


RENEE LUEBKE
PRIMARY EXAMINER